



November 21, 2019

VIA E-MAIL

Emma Best
MuckRock News
DEPT MR 83101
411A Highland Ave.
Somerville, MA 02144-2516

RE: FOIA Request No. DOC-OIG-2020-000281

Dear Ms. Best:

This letter is regarding your Freedom of Information Act (FOIA) request, tracking number DOC-OIG-2020-000281, received by the Department of Commerce, Office of Inspector General (OIG) on November 12, 2019, in which you seek “a copy of the list or printout or database listing of Inspector General investigations closed/reports completed during calendar year 2014.” Your request was interpreted to seek a database printout of investigations performed by the Department of Commerce OIG that were closed during calendar year 2014.

A search of records maintained by the OIG has located two (2) pages that are responsive to your request. We have reviewed these pages under the terms of FOIA and have determined that one (1) page must be partially withheld under the following exemptions:

- FOIA exemption (b)(3)(A)(i), 5 U.S.C. § 552(b)(3)(A)(i), which protects information that has been specifically exempted from disclosure by a statute that requires matters to be withheld from the public in such a manner as to leave no discretion on the issue, specifically the *qui tam* provisions of the False Claims Act, 31 U.S.C. §§ 3730(b)(2);
- FOIA exemption (b)(6), 5 U.S.C. § 552(b)(6), which protects information in personnel, medical or similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and
- FOIA exemption (b)(7)(C), 5 U.S.C. § 552(b)(7)(C), which protects law enforcement information the disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy.

One (1) page has been partially withheld under FOIA exemptions (b)(6) and (b)(7)(C). Copies of the two pages are enclosed with the relevant withholdings noted.

Copies of the pages are enclosed, with the redactions noted.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification to all OIG requesters and should not be taken as an indication that excluded records do, or do not, exist.

You have the right to appeal this determination. Any appeal must be received within ninety (90) calendar days of the date of this response letter. Address your appeal to the following office:

Counsel to the Inspector General
U.S. Department of Commerce
Office of Inspector General, Office of Counsel
14th and Constitution Avenue, N.W.
Room 7898C
Washington, D.C. 20230

An appeal may also be sent by e-mail to FOIA@oig.doc.gov, by facsimile (fax) to 202-501-7335, or by FOIAonline, if you have an account in FOIAonline, at <https://www.foiaonline.gov/foiaonline/action/public/request>.

The appeal should include a copy of the original request and this letter. In addition, the appeal should include a statement of the reasons why you believe that the determination was in error. The appeal letter, the envelope, the e-mail subject line, and the fax cover sheet should be clearly marked "Freedom of Information Act Appeal." The e-mail, fax machine, FOIAonline, and Office of Counsel mailbox are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, fax machine, FOIAonline, or the Office of Counsel mailbox after normal business hours will be deemed received on the next normal business day. If the 90th calendar day falls on a Saturday, Sunday, or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely. An appeal received after the 90-day limit will not be considered.

If you have any questions or concerns or would like to discuss any aspect of your request, you may contact the analyst who processed your request, Laura Main, by telephone at (202) 482-5992 or by email at foia@oig.doc.gov. You may also contact me, the OIG FOIA Public Liaison at:

Jennifer Piel
U.S. Department of Commerce
Office of Inspector General, Office of Counsel
14th and Constitution Avenue, N.W.
Room 7898C
Washington, D.C. 20230
Telephone at (202) 482-5992; email at foia@oig.doc.gov

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
E-mail at ogis@nara.gov
Telephone at (202) 741-5770; toll free at 1 (877) 684-6448; facsimile at (202) 741-5769

Sincerely,
**JENNIFER
PIEL**
Jennifer Piel
FOIA Officer

Digitally signed by
JENNIFER PIEL
Date: 2019.11.21
14:29:59 -06'00'

Enclosures

ALL WITHHOLDINGS PURSUANT TO EXEMPTIONS (B)(6) & (B)(7)(C) UNLESS OTHERWISE SPECIFIED

ID	Title	Disposition	Date Closed
13-0293	Wire Theft at NIST Gaithersburg	I - Investigative Case	01/03/2014
12-0512	██████████; ██████████; ██████████ (NMFS)	I - Investigative Case	01/13/2014
12-0640	██████████ - FALSE CERTIFICATION	I - Investigative Case	01/15/2014
12-0630	██████████ ██████████)	I - Investigative Case	01/17/2014
12-0767	Proposed Suspension for OIG Complainant (WB Reprisal)	I - Investigative Case	01/22/2014
13-0003	██████████ (██████████)	I - Investigative Case	01/22/2014
12-1246	██████████ (GS ██████████) (WB Reprisal)	I - Investigative Case	01/24/2014
10-1119	██████████, ET.AL	I - Investigative Case	01/24/2014
11-0527	██████████	I - Investigative Case	01/24/2014
13-0614	██████████ ██████████ (USPTO)	I - Investigative Case	01/24/2014
13-0149	██████████ (OS)	I - Investigative Case	01/27/2014
13-0223	Classification of Carpenters for ARRA Construction Project (NIST)	I - Investigative Case	01/29/2014
13-0981	Mismanagement of International Travel and Breach of Confidentiality (NOAA)	I - Investigative Case	01/31/2014
13-1285	Altered Climate Observation Records (NOAA/NWS)	P - Preliminary Investigation	02/03/2014
14-0012	Randstad Technologies Bribery	P - Preliminary Investigation	02/20/2014
14-0362	██████████ - EagleNet (NTIA/BTOP)	P - Preliminary Investigation	03/10/2014
13-0418	Employee Suspended for Not Ordering iPads (NWS)	I - Investigative Case	03/10/2014
14-0109	██████████ (BEA)	P - Preliminary Investigation	03/18/2014
13-1033	Qui Tam (b)(3)(A)(i), (b)(6), (b)(7)(C) ██████████	I - Investigative Case	03/18/2014
13-0948	Mismanagement of GOES-R Program (NOAA/NOS)	I - Investigative Case	03/21/2014
13-1230	(b)(3)(A)(i) ██████████ (UNDER SEAL)	P - Preliminary Investigation	03/21/2014
14-0212	Whistleblower Retaliation & Witness Tampering (CEN)	P - Preliminary Investigation	03/27/2014
13-0052	Professional Resource Management of Rabun (BTOP)	I - Investigative Case	03/27/2014
12-0783	NMFS Southeast Observer Program (WB Reprisal)	I - Investigative Case	04/02/2014
12-0711	██████████ GS ██████████)	I - Investigative Case	04/03/2014
13-0596	██████████ (USPTO)	I - Investigative Case	04/03/2014
13-0172	Misappropriation of Funds, IT Tampering and Food Poisoning (NOAA)	I - Investigative Case	04/08/2014
10-0398	██████████	I - Investigative Case	04/08/2014
13-0699	Autonomous Underwater Vehicle (NMFS)	I - Investigative Case	04/10/2014
14-0327	██████████ (BIS)	P - Preliminary Investigation	04/11/2014
14-0146	██████████ (US Representative, ██████████ Pennsylvania)	I - Investigative Case	04/21/2014
13-1203	Innovate Inc. (NOAA)	I - Investigative Case	04/21/2014
13-0700	Morale and Recreation Fund (NOAA/OMAO)	I - Investigative Case	04/28/2014
14-0494	Workers Compensation Fraud - ██████████	P - Preliminary Investigation	04/28/2014
12-0410	██████████ (██████████)	I - Investigative Case	05/20/2014
12-0639	FRAUDULENT NMFS DISABILITY RETIREMENT	I - Investigative Case	05/23/2014
12-0791	██████████	I - Investigative Case	06/06/2014
13-0712	Patent Renewal Service	I - Investigative Case	06/06/2014

ALL WITHHOLDINGS PURSUANT TO EXEMPTIONS (B)(6) & (B)(7)(C) UNLESS OTHERWISE SPECIFIED

ID	Title	Disposition	Date Closed
14-0142	Pend Orielle County Public Utilities District (NTIA/Whistleblower)	P - Preliminary Investigation	06/09/2014
14-0467	██████████ (CEN)	P - Preliminary Investigation	06/10/2014
14-0202	Operation Five Aces Contract Payments to Nova Datacom, LLC	P - Preliminary Investigation	06/12/2014
11-0135	██████████ et al	I - Investigative Case	06/16/2014
12-0332	██████████ (BTOP WB)	I - Investigative Case	06/18/2014
12-1154	Computer Science Corporation	I - Investigative Case	06/18/2014
13-0906	Pyramid Lake Paiute Tribe (BTOP WB Reprisal)	I - Investigative Case	06/18/2014
12-0669	██████████ (GS-██████████)	I - Investigative Case	06/19/2014
14-0462	██████████ (NOAA/NCCOS)	P - Preliminary Investigation	07/09/2014
13-1002	██████████ (NOAA)	I - Investigative Case	08/27/2014
13-1062	██████████ (BIS)	I - Investigative Case	08/27/2014
13-0623	Texas Engineering Extension Service (EDA)	I - Investigative Case	09/29/2014
13-0792	██████████ (NOAA/NESDIS)	I - Investigative Case	12/02/2014
11-0451	██████████	I - Investigative Case	12/17/2014
12-0963	Cook Inlet Marine Mammal Council Fraud (NMFS)	I - Investigative Case	12/17/2014
14-0125	██████████ (BIS)	I - Investigative Case	12/17/2014
14-0228	██████████ (BIS, PAS/SES)	I - Investigative Case	12/17/2014
14-0346	██████████ (NOAA)	I - Investigative Case	12/17/2014
14-0533	Environmental Systems Research Institute, Inc. (ESRI)	P - Preliminary Investigation	12/17/2014
14-0892	Employee Misconduct and Mismanagement (NIST)	P - Preliminary Investigation	12/17/2014